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Greetings EEO/ADA Coordinators and HR Practitioners,

In order to “Serve the people who Serve the People” and continue with ODE’s responsibility to educate the Commonwealth’s EEO and HR professionals in the area of EEO and Diversity, I am happy to announce the **24th Annual Governor’s Equal Employment Opportunity Conference** will take place Tuesday, **November 9** at the KY Transportation Cabinet Conference Center in Frankfort. Currently, ODE and the Governor’s EEO Conference Planning Committee are in the initial stages of planning what we believe will be another effective and impactful conference despite our budget constraints.

So, please mark your calendars and stay tuned for more information to come as we gear up and prepare for this year’s EEO Conference. As always, we appreciate each of you for your part in making state government and the Commonwealth of Kentucky a better place to work!

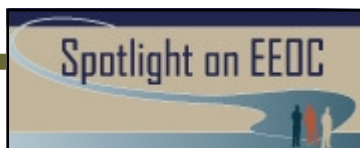
Yours truly,  
Arthur Lucas  
ODE Executive Director





For the 2010 Calendar Year, the Office of Diversity & Equality will be providing the following training opportunities for Anti-Harassment and Diversity. To register contact Singer Buchanan at **Singer.Buchanan@ky.gov**.

— REGISTER TODAY —				
Date	Audience	Title	GSC Room	Time
07/21/10	State Employees	Anti-Harassment	539	9am - 12 pm
	State Employees	Diversity	539	1pm - 4 pm
08/18/10	State Employees	Anti-Harassment	539	9am - 12 pm
	State Employees	Diversity	539	1pm - 4 pm
09/08/10	State Employees	Anti-Harassment	539	9am - 12 pm
	State Employees	Diversity	539	1pm - 4 pm
10/20/10	State Employees	Anti-Harassment	539	9am - 12 pm
	State Employees	Diversity	539	1pm - 4 pm
11/10/10	State Employees	Anti-Harassment	539	9am - 12 pm
	State Employees	Diversity	539	1pm - 4 pm



**Sioux Falls Oral Surgery Clinic Pays \$118,775 to Settle EEOC  
Pregnancy Discrimination Case**

*Siouxland Denied Jobs to Two Women Because They Were Expectant Mothers,  
Federal Agency Charged*

<http://www.eeoc.gov/eeoc/newsroom/release/6-22-10.cfm>

**EEOC Sues FAPS, Inc. For Discriminatory Hiring Practices**

*Automotive Port Processing Company Fails to Hire African-Americans and  
Asks Improper Medical Questions on Applications, Federal Agency Charges*

<http://www.eeoc.gov/eeoc/newsroom/release/6-17-10a.cfm>

**Balance Staffing to Pay \$100,000 Under Decree in EEOC  
Disability Discrimination Suit**

*Owner Took Job Back From Woman Because of Blindness, Federal Agency Charged*

<http://www.eeoc.gov/eeoc/newsroom/release/2-16-10a.cfm>

**John Wieland Homes Settles EEOC Race And Sex Discrimination Lawsuit**

*Home Builder Agrees to Pay \$378,500 and Hire More African-Americans and Women*

<http://www.eeoc.gov/eeoc/newsroom/release/6-23-10a.cfm>



## **Quality of Training - and Trainer - Will be Questioned in Court**

From: *HR Daily Advisor*  
Monday, June 14, 2010  
by Steve Bruce

By now everyone knows that training is a necessary defense for many lawsuits. However, EEOC and the courts are now demanding more than just the simple act of training, says Attorney Philippe Weiss. They are interested in the quality of the training—and the trainer—as well.

Courts (and opposing attorneys) will explore such things as the content of the training course, how much money is spent on training, and the trainer's background and competency.

Weiss is director of Seyfarth Shaw at Work, a legal compliance training company associated with the Seyfarth Shaw law firm. His remarks originally appeared on our sister publication, the *HR Manager's Legal Reporter*.

### **WHAT OUTSIDERS WANT TO SEE**

Based on his conversations with the EEOC (Equal Employment Opportunity Commission) and his experiences in court, says Weiss, outsiders want to see training that is:

- Presented in a highly interactive and engaging manner
- Built around the organization's particular policies and practices
- Developed with an understanding of adult learning theory (that is, the training includes interactive elements, visual stimulation, small group sessions, etc., and recognizes that participants can contribute their own knowledge to the training process)
- If necessary, offered in a variety of formats (i.e., classroom and online) that allow for corporate-wide deployment of the material and concepts
- If sourced from outside vendors, "approved" by EEOC. (EEOC approval is generally indirect, that is, implied by their actions in court cases, settlements, and other forums.)

### **A PRESENTATION IS NOT TRAINING**

To have training, you must have instruction and practice, says Weiss. Simply showing a video or lecturing is not enough. Practice is what makes it training. Training should be interactive. It should include role-plays, hypothetical scenarios, and exercises that allow participants to work together and on their own to come to the answer.

### **A SENSE OF HUMOR HELPS**

When training about harassment, discrimination, or diversity, for example, you are dealing with difficult issues that are emotionally loaded. It is often helpful to have an appropriate sense of fun and humor. Of course, you can't go overboard making light of the situation, and you certainly can't engage in the kind of humor you're training against.

*(Continued on Page 4)*

However, Weiss believes humor conveys the message that the participants are respected - that they have the ability to separate humor from the seriousness of the issues. Furthermore, he adds, a relaxed audience will participate more.

### **INTERACTIVE TRAINING TIPS**

Weiss offered the following tips for trainers:

#### **DO**

- Practice your full presentation.
- Dress properly (usually one step above the audience) and wear comfortable shoes.
- Turn your cell phone and pager off.
- Have high-level management introduce the training and participate in it.
- Keep the number of participants to a manageable level.
- Move participants to the front of the room.
- Engage participants in activities from the moment they walk through the door.
- Show them that you have completed the activities yourself.
- Start sessions with low-risk activities such as simple pretests (with obvious answers), so that participants feel safe interacting.
- Use name cards and tags to learn names and to personalize the experience.
- Start on time.
- Give breaks.
- Offer candy or refreshments.
- Have a glass of water handy.
- Keep your work table neat.
- Discuss from the insider's perspective (say *our* policy, not *your* policy).
- Talk about a noun; show a noun (if you tell participants to take out sample #1, hold the sample up).
- Avoid legalese.
- Act enthusiastic and listen with the same level of enthusiasm.
- Respond to room issues (too hot, too cold, no beverages).
- Turn your lectern into a plant stand (that is, get away from it - don't read or lecture from it).

#### **DON'T**

- Look at your watch.
- Use profanity.
- Complain or be critical.
- Use "OK" when you mean to praise; use a more positive response.
- Sit, but don't pace either.
- Use negative body language like closed arms, crossed feet, hands in pockets, etc.
- Give out handouts before you have explained what to do with them.
- Use AV equipment you don't know how to operate.

(The July issue will feature "Part II: Are Your Trainers Making Any of These Mistakes?")



### **EEOC Webinar Series**

#### **“Accommodating Religious Expression in the Workplace: It’s the Law!”**

**Wednesday, July 28, 2010  
1:00 PM EST (12:00 Noon CST)**

Price: \$149.00

Learn from the experts about the most effective ways to respond to employee requests for religious accommodation. This one hour presentation will include an opportunity to ask questions that matter most to you.

#### **Webinar Highlights**

Have you ever been faced with an employee request for religious accommodation that you thought was unreasonable or ridiculous? This webinar will explore legal issues surrounding religious diversity in the workplace, and the range of challenging issues that are unique to this area of practice. We will discuss the legal requirements to accommodate the religious beliefs and practices of employees and applicants and offer valuable strategies for preventing and resolving religious disputes. This webinar is a must for all Human Resources and EEO professionals.

Awo Sarpong Ansu, Attorney Advisor in the EEOC’s Office of Field Programs will be the presenter for this event. You can register online for this webinar at: <https://secure.kinsail.com/results.asp?p=eeoc&pt=store&GroupID=17904>

For questions about the webinar, contact Steven Aronberg on 202-662-7037 or email to [steven.aronberg@eeoc.gov](mailto:steven.aronberg@eeoc.gov).

Registration Questions: Please contact 866-446-0940 or send an email to: [eeoc.traininginstitute@eeoc.gov](mailto:eeoc.traininginstitute@eeoc.gov). (Registrations also may be faxed to 518-615-8422 or sent to EEOC Training Institute, PO Box 7580, Arlington, VA 22207-0580).

Live captioning will be available for all EEOC Training Institute Webinars! If you need a reasonable accommodation to attend a webinar, please contact Steven Aronberg on 202-663-7037 or email to [steven.aronberg@eeoc.gov](mailto:steven.aronberg@eeoc.gov).

You may also register for our archived webinar: “Why Getting Even Is Never A Good Idea” covering retaliation. All of our archived webinar events are **now being offered at a reduced price of \$129.**

*The EEOC is responsible for enforcing federal laws prohibiting employment discrimination. Additional information about the agency can be found on its web site at [www.eeoc.gov](http://www.eeoc.gov).*

# GMMTP Spotlight

Throughout 2010, ODE will be spotlighting current members of the Governor's Minority Management Trainee Program. We appreciate your continued support of these individuals during their journey to become the "leaders they were meant to be."

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## Anthony Cummings

**Position:** Social Service Clinician I

**Cabinet/ Agency:** Cabinet for Justice and Public Safety, Department of Juvenile Justice

**Length of Service:** 4 years with the DJJ and 17 years in the field of social work

**Educational Background:** Bachelor of Science in Criminal Justice, Minor in Sociology from the University of Louisville, 1992

**Community Involvement:** Coached high school football and little league baseball in Louisville

**Professional Strengths:** I feel I bring a great deal of knowledge and professionalism to the job. I am dedicated to the youth we serve and believe that it is my calling to make a difference in the life of the youth that I come into contact with daily. My communication skills and small ego make working in this field rewarding and fulfilling. I feel that I have strong leadership skills and I bring a great deal of creative ideas to the team.

*Motto: "Wherever you find yourself, you made an appointment to be there."*

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## Rachel R. Holt

**Position:** Family Support Specialist II

**Cabinet/Agency:** Cabinet for Health and Family Services

**Educational Background:** Kentucky State University 2 years and currently pursuing Bachelor's Degree in Social Work

**Community Involvement:** Stewart Home School/ Special Olympics, Volunteer at Julie's Boot Camp and Weight Loss Center

**Professional Strengths:** Communication skills, planning and organizing, and a great team player

*Moto: "If you can imagine it, you can achieve it; if you can dream it, you can become it." - William Arthur Ward*





### **EMPLOYEE RIGHTS BROCHURE**

The Office of Diversity & Equality will begin distributing an Employee Rights Brochure to EEO Coordinators in the upcoming weeks.

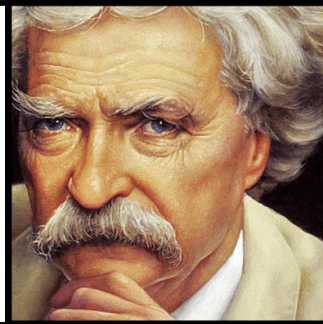
Please keep an eye on your inbox for this important tool in educating state employees on their rights!

Thanks,  
ODE Team



“Courage is not the lack of fear. It is acting in spite of it.”

-Mark Twain (1835-1910)  
Author and Humorist



### **Office of Diversity and Equality**

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<http://personnel.ky.gov/diversity>